

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DARREN ANDERSON, et al.,

Plaintiffs,

VS.

WAYNE FARMS LLC, etc.,

Defendant.

CASE NO. 2:06-CV-00951-MEF

MOTION TO AMEND

Comes now Wayne Farms, LLC and moves the Court to amend its March 7, 2007 Order granting Wayne Farms' motion to stay in part and denying it in part, *doc. no. 42* (the Order). As grounds for this motion, Wayne Farms shows the following:

1. In the Court’s order, it instructed Wayne Farms to provide to plaintiffs’ counsel information about hourly-paid, non-exempt processing employees at Wayne Farms’ Union Springs, Alabama plant. *Id.*, ¶ 2. The Court also ordered that “Plaintiffs shall not use this information to solicit any new plaintiffs until after the Court’s ruling on certification.” *Id.*

2. Recently, 200 Union Springs plaintiffs in *Agee v. Wayne Farms, LLC*, which is pending Mississippi, were transferred to this Court for possible consolidation with this case. *See* doc. no. 56 (providing a copy of this recent *Agee* order).

3. In order not to prevent unnecessary delay in this case, Wayne Farms moves the Court to amend paragraph 2 of its March 7 order to allow Wayne Farms to produce to counsel for these transferred *Agee* plaintiffs the same information that Wayne Farms was ordered to provide to plaintiffs in this case, and similarly to order that plaintiffs' counsel in *Agee* "not use this information to solicit any new plaintiffs until this Court's ruling on class certification."

Respectfully submitted on April 3, 2007.

sDorman Walker
One of the attorneys for Defendant

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CERTIFICATE OF SERVICE

I certify that on April 3, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following and/or that a copy of the foregoing has been served upon the following by United States Mail, properly addressed and postage prepaid to the following:

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